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New York

President:	Mr. Catalá/Mr. Oyarzun Marchesi	(Spain)
Members:	Angola	Mr. Lucas
	China	Mr. Wu Haitao
	Egypt	Mr. Aboulatta
	France	Mr. Delattre
	Japan	Mr. Bessho
	Malaysia	Mrs. Adnin
	New Zealand	Mr. Van Bohemen
	Russian Federation	Mr. Zagaynov
	Senegal	Mr. Barro
	Ukraine	Mr. Vitrenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

Threats to international peace and security caused by terrorist acts

International Judicial Cooperation in countering terrorism

Letter dated 2 December 2016 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General (S/2016/1030)

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

International Judicial Cooperation in countering terrorism

Letter dated 2 December 2016 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General (S/2016/1030)

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Albania, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Estonia, Finland, Germany, Greece, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Kazakhstan, Kenya, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Morocco, the Netherlands, Norway, Palau, Poland, Portugal, Serbia, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Tunisia and Turkey to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Jean-Paul Laborde, Executive Director of the Counter-Terrorism Executive Directorate; Ms. Dorcas Oduor, Deputy Director of Public Prosecutions in Kenya; and Mr. Robert Strang, Executive Secretary of the International Institute for Justice and the Rule of Law.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to to document S/2016/1030, which contains a letter dated 2 December 2016 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

Members of the Council have before them document S/2016/1047, which contains the text of a draft resolution submitted by Albania, Angola, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Montenegro, Morocco, the Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Senegal, Serbia, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Angola, China, Egypt, France, Japan, Malaysia, New Zealand, Russian Federation, Senegal, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of)

The President (*spoke in Spanish*): The draft resolution has received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2322 (2016).

I now give the floor to Mr. Laborde.

Mr. Laborde (*spoke in French*): Terrorism is a global threat that requires a comprehensive response. In that context, the first task for the international community is to not tolerate impunity in any way and to bring terrorists to justice whenever possible so that honour and dignity can be restored to the victims. The successful implementation of that line of action must rely on the relevant Security Council resolutions and the 19 universal counter-terrorism instruments.

That is why I welcome the Council's adoption today of resolution 2322 (2016). In the framework of its mandate and with regard to the political guidelines provided by the Counter-Terrorism Committee, the Executive Directorate is absolutely determined to provide the Council, especially through the Committee and as directed by it, all the necessary support for the implementation of the resolution.

It must be said that international commitment is essential, for we continue to face a complex, decentralized and dynamic threat that is not limited to any region. Our policies and methods must go beyond traditional security measures and employ a broader perspective

based on enhanced international cooperation — not only among Member States but also with specialized organizations and regional organizations.

Of course, to help States bring terrorists to justice and to maintain international cooperation on criminal matters and on the financing of terrorism, the Counter-Terrorism Committee Executive Directorate is already collaborating closely with the International Association of Prosecutors, the Organization of Islamic Cooperation, the International Organization of La Francophonie, the Organization for Security and Cooperation in Europe, the League of Arab States, the United Nations Office on Drugs and Crime (UNODC), to mention but a few of those organizations. I have certainly forgotten some. Moreover, as we clearly noted at the 1 December special meeting of the Counter-Terrorism Committee, the Committee and its Executive Directorate have established links of cooperation with some of the largest players in the private sector, as well as with key representative of civil society, in the context of preventing and fighting the exploitation by terrorists of information and communications technologies.

That cooperation and those agreements on mutual legal assistance will further strengthen the capacity of central authorities to support prosecutors and investigators in their efforts to obtain digital data in a timely and effective manner. Thanks to those partnerships and the projects we develop together, we are contributing in a very practical way to the implementation of the standards developed by the Security Council that enable international cooperation on criminal matters to yield results. Rest assured, Mr. President, that for the resolution on international cooperation on criminal matters, which follows the original resolution on the matter — resolution 1373 (2001) — we, along with the members of the Council, with the Counter-Terrorism Committee and with the organizations I mentioned, will have better communication and cooperation with a view to bolstering efforts in that sphere.

The most striking example is Kenya — a case I will leave to Ms. Dorcas Oduor to address more fully — where we have proposed collaborative solutions between police and prosecutors, and where UNODC, through its work, has truly supported the country in the fight against terrorism and, above all, in bringing terrorists to justice. We have also supported the organization by partnering on workshops of the same type, and we will continue to do so in South and South-East Asia and in Nigeria to promote that type of cooperation in criminal matters. In sum, we will continue the work we are doing in the Counter-Terrorism Committee in everything related to joint investigations.

In that connection, I should mention an existing regional mechanism, which represents a good practice, and that is the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism. It stipulates the establishment of a network of contact points for prosecutors that operates around the clock, seven days a week, but also for police, with the police aspect being piloted by INTERPOL, which is working closely with us on that project. The Executive Directorate of the Counter-Terrorism Committee has contributed to that initiative from the start, by supporting and encouraging the Council of Europe up to the moment when the representative of the Council of Europe, at the 1 December special meeting of the Counter-Terrorism Committee, announced that the network was operational. We will continue that work with other organizations, on the basis of the Security Council resolution. We call on regional organizations to follow that model by making them aware that we are ready to provide any necessary advice, and now with the support of resolution 2322 (2016).

Another good practice is the participation of many regional or specialized organizations in the independent assessment missions carried out by the Executive Directorate on behalf of the Counter-Terrorism Committee, particularly INTERPOL and UNODC in the assessment visits. It goes without saying that Executive Directorate is ready to support INTERPOL in the implementation of its new counter-terrorism strategy, recently adopted and implemented, and to aid Member States, specialized organizations and regional organizations to enhance international cooperation among intelligence services and police services and, indeed, among the various services in the criminal justice system. As you have so aptly pointed out today, Mr. President, justice must be present. It must be in the middle of that international cooperation and must be one of the major players in it.

I welcome Spain's initiative today to advance this aspect of the fight against terrorism, one which is too often neglected but is the only way to effectively respond to the needs of the victims and to expedite legal proceedings, all while respecting the rights of the individual. In that regard, the Spanish Government has

spared no time or effort in enabling us to take explicit measures in that area.

Thanks to your action, Mr. President, and that of the Spanish Ministry for Foreign Affairs, we have been able to establish these procedures based on the principles of Madrid, for which your Government should be warmly thanked. Faced with the terrorist organizations that act with agility, speed and flexibility by using financial means, the Internet and social media, we can and must meet this challenge.

As Albert Camus said in *The Rebel*, true generosity towards the future consists in giving our all to the present.

The President (*spoke in Spanish*): I thank Mr. Laborde for his briefing.

I now give the floor to Ms. Oduor.

Ms. Oduor: First, I would like to congratulate Spain on assuming the presidency of the Security Council for the month of December, and also to commend you, Mr. President, for the manner in which you have conducted its affairs. I thank you as well for inviting me to brief the Council on this very important subject and for providing a detailed concept note (S/2016/1030, annex) to guide today's timely meeting.

Today's technological advances have made the world a single, vast global village. Crime is no longer a national phenomenon, but has taken on a transnational dimension. The emergence and expansion of transnational crime confronts all justice systems with some new challenges. Criminal offenders, including terrorists, are mobile and often seek to evade detection, arrest and punishment by operating across international borders. They avoid getting caught by taking advantage of those borders and playing on the frequent reluctance of law enforcement authorities to engage in complicated and expensive transnational investigations and prosecutions. The weak capacity of any one country to address effectively some of those new threats and challenges translates itself into an overall weakness in the entire international regime of criminal justice cooperation.

Article 3 of the United Nations Convention against Transnational Organized Crime gives a clear definition of what constitutes a transnational organized crime. Although the 19 universal conventions and protocols relating to terrorism do not contain such a definition regarding terrorism, nevertheless, they apply only to transnational terrorism. Because of its transnational nature, like all transnational organized crime terrorism poses serious problems for national justice systems. It is the national courts that try perpetrators since there is no international court that is competent to try terrorism cases.

I grant that it is difficult for criminal justice officers to investigate or institute criminal proceedings against persons suspected of terrorism when such persons are outside their territory or where key evidence, witnesses, victims or the proceeds from the crime are located outside the country's jurisdiction or where the legal and judicial systems, with which they must cooperate are different from those of their own country. Practitioners of criminal justice cannot realistically work within the confines of national borders. They have no choice but to cooperate with their foreign counterparts in order to bring the perpetrators of such offences to justice.

Terrorism and transnational organized crime require a coordinated international response that calls for more efficient and faster cooperation between Member States. Current multilateral, bilateral and national measures against transnational organized crime, including terrorism are rapidly evolving to keep pace with the new technologies. The evolution over the past decade or so reflects the determination of Member States to work more closely with each other to face the growing threat of terrorism, organized crime and corruption.

Allow me to apprise the Council of Kenya's efforts to promote international judicial cooperation against terrorism and what we believe should be the priorities of the international community moving forward. The terrorist threat in Kenya emanates mainly from the Al-Shabaab terrorist group in Somalia, an affiliate of the Al-Qaida terrorist network. The threat manifests mainly through continued radicalization and violent extremism within its borders that has resulted in an inflow and outflow of foreign terrorist fighters and terrorist attacks, including the 1998 United States embassy bombing, the Paradise Hotel bombing of 2002, the Westgate Mall attack of 2013 and the Garissa University attack of 2015, alongside scores of other attacks over the years.

Kenya responded to the threat, among other initiatives, by adapting various international statutes into domestic laws, including the 2012 Prevention of Terrorism Act. It also sought deeper counter-

terrorism cooperation with other partner States, particularly on the investigation and prosecution of terrorism cases. Kenyan law enforcement agencies have worked with regional organizations including the Intergovernmental Authority on Development, the East African Community, the African Union and the broader international community, including the United Nations, the United States and other bilateral partners, to increase its counter-terrorism capacity and secure land, sea, and air borders.

Since 2012, Kenya's primary contribution to regional counter-terrorism efforts has been its significant troop contribution to the African Union Military Observer Mission in Somalia (AMISOM). It has also hosted numerous trainings involving law enforcement professionals from neighbouring countries to build counter-terrorism capacities and to increase regional cooperation.

Following the enactment of a new Constitution in 2010, an independent office of Director of Public Prosecution was created within which is a specialized division on international cooperation. Its target is to give effect to all requests within seven days. Similarly, in 2014, security laws were amended to strengthen the country's legislative framework against terrorism that resulted in an enhanced legislative framework, inter-agency coordination and cooperation against terrorism particularly between the law enforcement and justice sectors.

As a front-line State against international terrorism over the years, Kenya has learnt several lessons regarding the evolving threat. I will mention but a few. First, although enforcement of the law is the responsibility of the sovereign State, mainly to bring perpetrators to justice, a coordinated international response and close regional cooperation are vital. That is because more rapid success in fighting terrorism is achieved when Member States exhibit international cooperation, good faith and honesty. AMISOM's continued success in Somalia against Al-Shabaab is clear testimony of that as is the Lake Chad Basin Initiative against Boko Haram in West Africa.

Secondly, terrorist groups move rapidly across national lines and normally find sanctuaries in countries with the weakest links. That is paradoxical since no country can seal its own borders, or rely on self-defence alone, and participate in today's economy effectively. To resolve the paradox, regional and international judicial cooperation against terrorism using well defined standards are vital. International conventions and initiatives such as the United Nations Global Counter-Terrorism Strategy and the Secretary General's Plan of Action to prevent violent extremism provide parameters to set such standards through which Member States can adapt their national strategies based on their own unique national circumstances.

Thirdly, terrorists and other criminals have shown the ability to adapt to law enforcement efforts to apprehend them. They have devised the means to travel freely throughout the world, under false identities using stolen and fraudulent travel documents, raise finances through crimes such as drug trafficking, human trafficking, ivory smuggling and corruption as a key enabler. More than ever before, such trends call for strong national coordination and sustained international cooperation to manage and eradicate.

Fourthly, ordinary citizens in many societies like Kenya's are demanding much better service from law enforcement agencies through more prosecutions and convictions. Raising the awareness of citizens and their involvement in the prevention of terrorism and violent extremist ideologies is crucial in winning the war against terrorism while upholding human rights.

International judicial cooperation against terrorism is hampered by many challenges, such as the diversity of law enforcement structures, the absence of channels for the exchange of information, divergent approaches and priorities among nations, language, human rights and privacy issues, issues regarding the criminal and criminal procedure code to ensure that the appropriate criminal acts are extraditable, ensuring that sensitive information received via international cooperation is kept confidential and the varied procedural requirements of each jurisdiction.

In conclusion, to achieve greater international judicial cooperation against terrorism, we need to further encourage the convergence and compatibility of national legislations, to introduce complex procedural reforms, and generally to develop a much greater investigation and prosecution capacity at the national level and strengthen the capacity to cooperate at the international level. We need to build capacity for international cooperation of Member States within their own criminal justice system. We need to come up with more instruments that set standards for best practices and cooperation. We need to institutionalize

and expand cooperation, the sharing of intelligence and data, training and technology and organization that can be shared without compromising national capabilities. We need to encourage and deepen existing informal cooperation and other arrangements among law enforcement agencies worldwide, including through the Interpol, financial intelligence units and other regional networks, which is crucial to achieving and sustaining formal cooperation.

Finally, it would be remiss of me if I did not mention the important role played by the United Nations Office on Drugs and Crime and the Counter-Terrorism Department in enhancing capacity in Kenya and in the region. Because of the them, we have been exposed and are able to ensure much better cooperation than before. Terrorism is a challenge that we all need to tackle in solidarity. No country can do it alone.

The President (*spoke in Spanish*): I thank Ms. Oduor for her briefing.

I now give the floor to Mr. Strang.

Mr. Strang: I thank the you, Mr. President, for giving me the opportunity to brief the Security Council on the important issue of international judicial cooperation in terrorism cases in connection with resolution 2322 (2016).

Terrorism cases are almost inevitably transnational in nature, and therefore efforts to bring these individuals to justice within a civilian rule of law system require the sharing of evidence across jurisdictions. That is particularly true for those cases involving the phenomenon of foreign terrorist fighters, whether those individuals are travelling to conflict zones or returning to their own country or to a third country, where there will inevitably be evidence with third countries, including evidence related to their travel, evidence related to the financing of their travel, evidence related to their communications and evidence related to their recruitment or efforts to recruit others through social media, and of course any victims can be of any nationality. These important pieces of evidence will be located with immigrations officials, travel agencies, airlines, banks or on computer servers, in different jurisdictions, where international cooperation between judicial authorities will be required to ensure that relevant evidence can be gathered in a form that can be used in court.

I would like to focus on today on a key part of making that system work — the role of central authorities, which is recognized in paragraph 13 of the resolution. Central authorities are the national entities responsible for any mutual legal assistance — the sharing of evidence and extradition of individuals. At the International Institute for Justice and the Rule of Law (IIJ) in Malta, we have gathered together representatives of central authorities from North, East and West Africa, the United States and the Middle East, Senegal and Egypt. We have had civil law, common law and other legal traditions present to discuss and agree on some basic principles and best practices. My briefing today reflects the collective wisdom of a variety of Member States, as well as my own experiences as a career prosecutor.

First, all members must establish a central authority. Various United Nations conventions expressly call upon each Member State to designate a central authority within their government to facilitate mutual legal assistance requests and extraditions. Sometimes States attempt to create multiple central authorities for different crimes — one for terrorism, one for corruption. We find that this is generally not a helpful approach. It is better for Member States to designate a single central authority in order to concentrate experience and resources, reduce bureaucracy and overlapping authority, and ensure visibi'ity and accountability for all incoming and outgoing requests. The United Nations Office on Drugs and Crime and others have encouraged the creation of regional criminal information-sharing platforms. These can be helpful, but it remains critical that Member States joining such platforms name their existing central authority as their point of contact to the platforms.

But it is not merely enough for a Member State to establish an office that is called a central authority. A central authority must be able to function effectively. Without proper resources and dedicated expert and administrative personnel, the work of a central authority will be ineffective. Central authorities should serve to ensure that requests for mutual legal assistance from domestic law enforcement and judicial authorities are sufficient and comply with the terms of applicable law, treaty or convention before such requests are transmitted. While staffing needs will vary, some Member States receive and send thousands of requests each year, and others far fewer, but there still must be experienced practitioners — emphasis on practitioners — assigned to the central authority.

Success in the area of judicial cooperation among Member States is naturally based on trust. That trust is built on experience and relationships. Member States must encourage their respective central authorities to have regular and direct discussions with their international counterparts. Moreover, direct communication among central authorities permits international counterparts to discuss the status of pending requests and to seek together to overcome challenges that may arise in satisfying such requests. That experience builds trust.

Investigations and prosecutions in terrorism cases in particular demand quick and confidential assistance between national authorities. It is therefore a good practice to send such draft requests to receiving central authorities to allow them to begin reviewing that request. Such direct communication can often be made effectively initially through e-mail or by telephone. The use of diplomatic channels, however, can sometimes delay effective investigations and the collection of evidence for use in court, and therefore it was the sense of the central authorities participating in our programme that it should be discouraged.

A central authority should maintain the confidentiality of mutual legal assistance and extradition requests in order to protect the integrity of terrorist investigations and prosecutions. Naturally, premature disclosure of a request may not only disrupt a terrorist investigation, including inadvertent notification to the targets of the investigation, who could hide or destroy evidence, move the proceeds of crime or flee the jurisdiction. Therefore, Member States must take steps to treat each request as a confidential matter. If the receiving central authority is required under its own domestic law to notify a party of a request, it should certainly notify the sending authority in advance to avoid compromising an ongoing investigation.

Member States should actively determine whether or not they need to adjust their domestic law to ensure that such notification is not legally required. Member States should also empower their respective central authorities to take action directly or lead the coordination of the execution of requests. A key component of an effective central authority is its ability to act with authority to ensure the prompt execution of requests. If a central authority lacks the competence to act, then efforts at effective cooperation will be quickly frustrated. Member States therefore should empower their central authorities to execute requests directly wherever possible or, when they lack legal authority to execute the request directly, central authorities should coordinate directly with the other competent entities within their Government to execute such requests.

A word about what central authorities should not do. They should not limit the police to police or other forms of cooperation between governmental law enforcement entities. Instead, they should support it. Some forms of assistance will inevitably require formal requests for mutual legal assistance in order for the information received to be used in court. Where formal mutual legal assistance is not required, central authorities should encourage, where possible, the use of other channels of law enforcement sharing, such as those mentioned by my colleague from Kenya, including police to police channels, INTERPOL and others. Central authorities should be able to discern when formal versus alternative channels to gather evidence or provide assistance are appropriate, and facilitate assistance through formal mutual legal channels without limiting assistance through other law enforcement channels. The goal is to provide evidence that can be used in a court of law.

Let me add a word about extradition. It is naturally a little more complicated than the sharing of evidence, as countries often have greater restrictions on extradition, particularly of their own citizens. Requests for extradition must comply with relevant treaties and domestic law, including requirements, such as dual criminality, which is not always necessarily present in the case of mutual legal assistance requests. But here, too, the strong central authority has a role to play. It should be able to ensure that extradition requests from domestic law enforcement and judicial authorities are sufficient and comply with applicable law, treaty or convention before such requests are transmitted.

Member States should also empower their central authorities to facilitate the judicial aspects of extradition requests. Extradition proceedings typically involve a judicial phase for which legal expertise is vital. Member States therefore should empower their central authorities to permit them to facilitate the judicial aspect of extradition. Otherwise, efforts at effective cooperation will be soon frustrated. Central authorities should therefore act as a node of coordination at a minimum within the Government to follow the status of pending extradition requests and regularly advise their international counterparts on developments.

We at the International Institute for Justice and the Rule of Law have developed 10 general principles in support of developing strong central authorities, but let me emphasize, in conclusion, what is and is not at stake. Effective international cooperation in terrorism and in other criminal matters does not threaten national sovereignty; it ensures that it continues to work. Therefore, I thank the Security Council for the opportunity to speak today.

The President (*spoke in Spanish*): I thank Mr. Strang for his briefing.

On behalf of all the members of the Security Council, I would like to thank our three briefers for their useful and informative reports.

I shall now make a statement in my capacity as the Minister of Justice of Spain.

Allow me to begin my statement by expressing, on behalf of the Government of Spain, our firm condemnation of the recent attacks taking place in Istanbul, Cairo, Mogadishu and Aden. These crimes elicit our most vigorous condemnation. We share the pain of the victims and extend our condolences to their families. Our best tribute to them, besides solidarity and accompaniment, is that of bringing the perpetrators to justice.

I thank Mr. Laborde, Ms. Oduor and Mr. Strang for their briefings. I am also grateful for the support of the 51 sponsors of resolution 2322 (2016). I welcome this resolution and I congratulate all the members of the Security Council on its unanimous adoption.

On Saturday, on the occasion of Human Rights Day, Secretary-General Ban Ki-moon recalled that those rights, together with peace and sustainable development, are the foundations of societies that are based on justice and the rule of law. Terrorism is one of the greatest threats to international peace and security. It is an affront to the fundamental pillars on which our societies are based and to fundamental human rights. Spain has long experience in this area because of what it has suffered owing to terrorism, both within its borders and in the international arena. Spanish society and its public authorities have also fought that scourge with efficiency and determination. It is unfortunately an experience that many of us have shared. For that reason, we have made combating terrorism one of the priorities during our term as a non-permanent member of the Security Council.

Spain's experience a testament to the fact that, with measures based on respect for the rule of law, a united society can confront and defeat terrorism. Such was the case in Spain. Faced with violent extremism and terrorism, comprehensive strategies are needed to address all aspects of this threat. In that context, international cooperation is an absolutely essential instrument for effectively combating all types of transnational organized crime. That is especially true in the context of today's terrorism, because, as we all know, it is a global threat. But we must also bear in mind that terrorism is constantly evolving. We therefore need to continuously fine-tune and update the tools available to us to counter terrorism.

On 17 December 2015, the Council adopted resolution 2253 (2015), which complements resolutions 1267 (1999), 2178 (2014) and 2199 (2015). The resolution that we have adopted today is a milestone, another tool in the succession of tools with which the international community is equipping itself to confront the terrorist threat. Globalization is such that States now have to face the challenge of developing a comprehensive response to a criminal scourge that transcends national borders, because the frontiers of justice no longer coincide with territorial borders. If we do not do so, we will facilitate impunity.

Resolution 2322 (2016) updates the tools of international judicial cooperation and extradition that are available to us as an international community and urges us to fully make use of them so as to apply them to transnational organized crime and crimes of terrorism. Similarly, all Member States are called upon to designate and appoint central authorities to deal with requests for cooperation. With that measure, we will create a network of focal points with resources, training and authority to take action on terrorism-related crimes. The resolution also calls upon States to consider the possibility of developing a system to deal electronically with requests for cooperation in order to carry out all such processes more quickly and effectively. It is important, in demonstrably urgent situations, to accept requests electronically without affecting the subsequent transmission of such information through traditional avenues, where appropriate.

Without a doubt, the new telecommunications and information technologies, the Internet and social networks provide outstanding forums for freedom, for trade, for the economy, for the expression and dissemination of ideas and for education. But is

certainly also true that terrorists have stepped up the use of technologies, which, without any doubt, entails an increasing challenge for our societies, the rule of law and public safety. We who are fighting them cannot be left behind. Consequently, we must devise legal frameworks to combat the abuse of the Internet by terrorist groups. We must also strengthen international cooperation to respond to the threat.

Today a great part of the evidence linked to terrorist attacks is obtained through the Internet and related technologies. Many crimes involving recruitment, organization and the preparation of attacks are carried out through those means. We must make progress in harmonizing the standards concerning the use of electronic evidence. We also need to ensure that the goal must be to ensure that evidence obtained in investigations carried out in one State can be used in another when we undertake cooperative judicial or extradition proceedings. The coordination, for instance, that we have afforded ourselves within the sphere of the European Union can serve as a example for the international community in general.

Along with international judicial cooperation, we also need to maintain and consolidate more effective law enforcement cooperation. Resolution 2322 (2016) calls for consolidating and strengthening an invaluable tool, that is, INTERPOL's I-24/7 network for secure communication among law enforcement agencies. All States must strengthen their capacity to participate in that network and ensure that the their response centres are provided with the proper training to combat terrorism and the phenomenon of foreign terrorist fighters. We also acknowledge the value of the I-24/7 network, which was established under the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism in May 2015.

We must also reiterate the importance of cooperation within the framework of the United Nations and its various bodies, whom this presidency thanks for their substantial contributions, including the Counter-Terrorism Committee, its Executive Directorate, the United Nations Office on Drugs and Crime, INTERPOL and the entire Counter-Terrorism Implementation Task Force.

The resolution also includes a paragraph specifically dedicated to the victims of terrorism. Their memory must always guide our work in combating terrorism, which is a fight aimed at achieving justice. States must come up with measures to ensure support to the victims in the wake of terrorist acts and throughout the entirety of criminal proceedings.

We therefore believe that it is very relevant and consistent with the law that, following its reaffirmation of our solidarity with the victims and their family members, the sixth preambular paragraph also recalls the importance of States redoubling their efforts to ensure that victims and family members are afforded the necessary assistance to overcome the subsequent loss and pain. Ensuring justice, which means preserving the memory of the victims of terrorism and ensuring that they receive the support they deserve, will always serve as a moral point of reference for the document that we have adopted today.

In conclusion, I strongly believe that we have taken a great step forward today towards modernizing the network of contacts among law enforcement focal points to make more agile our international judicial cooperation and our existing law enforcement mechanisms. We have strengthened existing instruments in the fight against terrorism and transnational organized crime, which is a critical objective that unites all of us. We all have reason to be satisfied. However, that satisfaction must not lead us to become complacent. The fight against terrorism and international crime is always an ongoing one. We must ensure that we are always taking steps forward and that we never lag behind those who do not wish to see peace and the peaceful coexistence between States. This resolution will undoubtedly help us in that endeavour.

I now resume my functions as President of the Council.

I shall now give the floor to the other members of the Council.

Mr. Rycroft (United Kingdom): I thank the briefers for their interesting updates.

I must begin by offering my sincerest condolences to Mr. Amr Abdellatif Aboulatta, the Permanent Representative of Egypt, following the horrific bombing in Cairo on 11 December. This attack is yet another reminder of the unrelenting cruelty and barbarity of the terrorist threat that we face. Today, we grieve with Egypt. However, in truth, terrorism threatens us all. Too many of us around this table have experienced the savagery of these groups in recent years. They are a clear threat to international peace and security, and

they are threat that we must tackle together. It is a fight that requires our fullest cooperation — cooperation between our police and security forces, between our diplomats and, as we are discussing this afternoon, between our judicial institutions.

Today we have shown our shared commitment to that cooperation through the welcome unanimous adoption of resolution 2322 (2016). I would like to pay tribute to you, Mr. President, and to your excellent delegation for your initiative in bringing this important issue before the Council because when terrorists act without any regard for international borders — without any regard for the laws of one country of the next — we must work together to ensure that justice crosses borders in response. My country saw this sadly when terror came to the streets of London in July 2005. One of the attempted bombers, Mr. Osman Hussain, fled the United Kingdom on 21 July 2005 after his bomb failed to detonate on the London Underground. Thanks to our cooperation with Italy, Mr. Hussain was arrested eight days later in Rome and extradited to the United Kingdom less than two months later. He is now serving a 40-year minimum sentence. Sadly, since 2005, there has been a steady increase in the need for similar cooperation.

With the rise of the phenomenon of foreign terrorist fighters, the complexity of such cases has grown. Let us take the case of a French national who traveled to Syria join Al-Nusra in January 2014. By May 2014, he had fled to the United Kingdom. He was arrested on 9 May 2014 and extradited to France just over a month later. His case follows an increasingly common pattern — a national of one country commiting a crime in another country before fleeing to a third country. Yet, there are countless returning fighters who have yet to face justice in the way that that French national has. Let us use all the tools at our disposal to ensure that there is no impunity for any of them. Those tools should include even more cooperation on extraditions, even greater mutual legal assistance and more engagement with INTERPOL. To underpin such efforts, we face new challenges gathering the evidence needed for the extradition, arrest and prosecution of terrorist suspects.

The Internet is now a front line in the battle against terrorism. Twitter, Facebook and other social media channels are sadly hijacked as a recruiting ground for extremists. In turn, we must also use those networks to find the evidence needed to stop their hateful activities. That requires closer cooperation with tech companies and greater, faster information-sharing between countries. We should not underestimate the complexity of such a task. In the United Kingdom, each terrorism investigation brings with it on average 10.7 terabytes of data. Put another way, that is 4.4 billion pages or 35 miles of paper.

In the pursuit of that evidence, we cannot allow ourselves to undermine the freedoms that the terrorists want to destroy. Restrictions on social media, abuses of online privacy and any type of censorship are simply not the answer. We also need to recognize that evidence is not only to be found in the Twitter feeds and emails of foreign terrorist fighters. It is also found in the liberated towns of Iraq at the scene of the terrible crimes of Da'esh. Preserving and sharing that evidence is just as important if we are to see justice finally being delivered. That is why the British Foreign Secretary, Mr. Boris Johnson, alongside the Foreign Ministers of Iraq and Belgium, launched an initiative on Da'esh accountability here in September.

As a first step, we look to the United Nations to take action to gather and preserve evidence of the crimes carried out by Da'esh in Iraq. The Government of Iraq is clear that it would welcome international support to complement their efforts. Together, experts of the United Kingdom and Iraq have been working on a proposal to that end and we look forward to bringing it to the United Nations very soon.

Ms. Sison (United States of America) I thank the Minister of Justice of Spain for convening this meeting. We especially welcome your participation, Sir, as a senior official who has first-hand experience in dealing with international judicial cooperation to fight terrorism. I would also like to thank today's briefers.

Let us all think about the terrorist threat that we face today. Terrorist organizations span borders. Terrorists hide in one country before attacking in another. Terrorists may obtain funds from criminal enterprises that traffic people, illicit goods, narcotics or cultural property across different continents. When terrorists talk to each other, their emails may be transmitted from one city to another but the records of such emails sit on servers scattered around the world.

So, how do we prosecute a terrorist who is captured in one State but who is a resident of a second State — a terrorist who may be a citizen of yet a third State whose emails are scattered on servers in a fourth, fifth or even sixth State? The obvious answer is that prosecutors and judges need to cooperate with each other and cooperate

closely. The challenge that we must discuss today is how to make that cooperation effective. Let me address three ways in which we can do that.

First, each Member State needs to have the right laws and agreements on the books — right on both substance and procedure. The Council has played an important role in enshrining the legal framework for countering terrorist activities through resolutions 1373 (2001) and 2178 (2014). Those resolutions focused on ensuring that all Member States make terrorism a criminal offence, take action to cut off the financing of terrorism and prosecute and penalize foreign terrorist fighters. Resolution 2322 (2016), which we have just adopted this afternoon, builds on that progress. It reaffirms that all States should establish as a serious criminal offence under each State's domestic law willfully financing terrorist organizations or individual terrorists for any purpose.

However, it is not enough that States have laws that permit them to prosecute terrorists. States may need to gather evidence that is held in other jurisdictions or even request the extradition of a terrorist. That is why the resolution's focus on mutual legal assistance — obtaining evidence from another country — and extradition, a form of transferring a defendant from one country to another — is so critical. One might assume that those are more or less straightforward processes. However, the United States has invested considerable effort to streamline and update both tools to help fight terrorism.

In the past, mutual legal assistance was a slow and often cumbersome process. It was hard for States to talk to each other and judges often had to authorize requests for evidence. In our modern mutual legal assistance treaties, prosecutors, through coordinating central authorities, can work with each other to make requests for evidence. Modern extradition treaties pave the way for the extradition of terrorists. The United States is working to make it easier for countries to share evidence and extradite terrorists with robust legal safeguards.

That brings me to my second point — implementation. We can strengthen our laws and agreements, but actually disrupting terrorist networks requires that our law enforcement agencies talk to one another. Proximity helps here. The United States sends 60 resident legal advisers from its Department of Justice to our embassies around the world to offer training and technical assistance to prosecutors, along with nine justice attachés who focus on extradition and coordinating international legal cooperation on legal cases. The United States also supports assembling joint investigative teams in which investigators from different States come together to look at a specific incident.

We can talk a lot here in the Security Council about building cooperation on counter-terrorism, and of course we, as diplomats, are used to speaking with representatives of other countries. But all of us should do more to make sure that our prosecutors and law-enforcement officials also have the chance to work directly with one another. That would go a long way to speeding up the sharing of information and resolving the highly technical issues that come with international requests for legal assistance. It also goes without saying that our national law enforcement agencies should improve their cooperation with existing multilateral entities and help share information, such as through INTERPOL. That is especially true when we talk about how to counter foreign terrorist fighters, regularly uploading information on them to INTERPOL's I-24/7 secure global police communications system. Systematically checking against I-24/7 at ports of entry can make a substantial difference in preventing travel by foreign terrorist fighters.

The third thing we have to do is to help one another build the requisite capacities. Judicial cooperation is no easy task. Our laws differ from country to country, as do our courts, prosecutors and law enforcement agencies. The paperwork related to judicial cooperation can be complicated and time-consuming, and rightly so, since we are talking about arresting people and putting them on trial, and therefore do not want to make mistakes. But we do have a lot to learn from one another. We can help each other understand our requirements for sharing information. We can talk to each other about the ways we have disrupted terrorist organizations. We can share strategies for how to gather evidence and build a case against terrorist networks, which do their best to keep their activities hidden. That is why the United States strongly supports the calls in today's resolution to make sure that United Nations entities are helping to provide that expertise.

There are many opportunities for Member States to work closely in fighting terrorism, but that cooperation should not come at the expense of human rights or civil liberties. We can find ways to share digital data, and we should. But we should minimize the sharing of extraneous, private information, and ensure that

these protocols do not suppress freedom of expression. Similarly, timely extraditions are important, but we must ensure that Member States follow all the applicable legal requirements. A desire to expedite matters cannot be an excuse for denying rights to the accused.

There is no question that this issue is a technical one, but let us zoom out and look at the big picture. Terrorism is a threat to our collective security. If a terrorist struck any of us, we would want the tools that today's resolution outlines in order to make sure that all of our investigators and prosecutors can work together. Today's debate should encourage each of us to re-examine what we are doing to bolster those ties.

Mr. Lucas (Angola): We commend the Spanish presidency for convening today's important meeting on international judicial cooperation in the fight against terrorism. We would like to welcome Mr. Rafael Catalá, Minister of Justice of Spain, to the Security Council and thank him for presiding over our debate. We also thank the briefers, Mr. Jean-Paul Laborde, Ms. Dorcas Oduor and Mr. Robert Strang, for their insightful remarks. We commend Spain for its efforts leading to today's unanimous adoption of resolution 2322 (2016), which is yet another landmark in the fight against this scourge, through its establishment and reaffirmation of important political, legal and operational provisions.

Today's meeting is taking place at a crucial time, when terrorism has become an unprecedented threat to international peace and security, owing mainly to terrorists' capacity to adapt and persuade, including by using information technologies, inciting people around the world, especially the young, to join their ranks. Terrorist groups take advantage of social and political instability in many States, while economic, cultural, ethnic and religious asymmetries make societies vulnerable to the incitement and recruitment of young people for subversive acts that can result in the loss of lives, the destruction of social infrastructure, the creation of refugees and the impoverishment of nations. Unfortunately, this is a widespread phenomenon. Terrorist movements, with different labels and characteristics, are active in every region of the world, a reality that calls for coordinated action and the adoption of appropriate mechanisms for preventing and fighting them.

Yesterday was particularly tragic, with terrorist attacks committed in Istanbul, Cairo, Mogadishu and Aden, along with the tragic return of the Islamic State in Iraq and the Levant to Palmyra. We firmly condemn those attacks and offer our condolences to the victims' families. Today's meeting is timely, since it gives us an added opportunity to continue our active attempts to intensify our shared struggle against the deadly threat to people's well-being and to international peace and security that terrorism represents.

The United Nations Global Counter-Terrorism Strategy is the main cooperative framework for Member States working to search out, locate and bring to justice those who support, facilitate and participate in terrorist acts, as well as to deny them safe haven, in accordance with the relevant provisions of national and international law. The Security Council has taken a decisive leadership role in that fight, and resolution 1373 (2001) is central to the endeavour. Its scope and adoption under Chapter VII of the Charter of the United Nations label terrorism as a true threat to international peace and security. Under resolution 1373 (2001), States have to work together to prevent and suppress terrorist acts, increase their cooperation with one another, become parties to the relevant international conventions and protocols relating to terrorism and implement them fully, take effective measures to prevent and suppress the financing and planning of terrorist acts in their territories, as well as strengthening ways to punish offences on an international scale.

In order to achieve that, international cooperation is a crucial tool, given that it is essential for criminal justice practitioners who face new forms of transnational criminality and terrorism to broaden their criminal investigations and prosecutions so as to give them international and even global scope. We have put in place mechanisms for international cooperation in the areas of extradition, mutual legal assistance, the transfer of criminal proceedings and convicted persons, the recognition of decisions by foreign criminal jurisdictions, the freezing or seizure of assets and cooperation between law enforcement agencies relating to all types of criminality, including terrorism and its financing.

Angola, which has much experience in fighting and defeating terrorism, is fully committed to contributing to implementing mechanisms designed to prevent and combat terrorism in all its forms and manifestations. To that end, we have adopted a set of legal, political and administrative decisions for reinforcing international judicial cooperation in preventing and combating terrorism, particularly in relation to the financing,

incitement, recruitment and transit of terrorist fighters through its territories. Among the legislative and executive measures we have taken, we would highlight the laws against money-laundering and the financing of terrorism, and on international cooperation in criminal justice; the tracking of money movements of persons suspected of having connections with terrorist activities; the control of foreign exchange flows and of illegal migration; the strengthening of surveillance, with the installation of high-technology equipment at entry and exit points; the exchange of information between national and foreign entities, including INTERPOL and the Committee of Intelligence and Security Services of Africa; and the strengthening of cooperation with specialized United Nations organs and agencies.

To conclude, the dynamics and the actions of terrorist groups highlights the need for greater cooperation and exchange of information between all nations and world entities. Terrorism can be defeated only through a holistic and sustained approach by all States, international and regional organizations and civil society, in a common effort to isolate and combat terrorist threat. In this endeavour, international cooperation among law-enforcement agencies in preventing terrorist acts and judicial practitioners in holding its perpetrators accountable is key. The fight against terrorism must involve all societies aiming to build a more peaceful and just world, based on security, peace and respect for human rights.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I wish to thank you, Mr. Minister, in your capacity as President of the Security Council, first of all for your initiative in bringing this issue before the Council, and I wish to thank the briefers for their valuable presentations.

Uruguay reiterates once again its firm condemnation of terrorism. Today it wishes also to express its indignation at the barbaric attacks that took place this weekend in Cairo and Istanbul. It expresses its solidarity with the families of the victims and conveys its condolences to the peoples and the Governments of Egypt and Turkey.

All terrorist acts are reprehensible. There can never be any political, ideological, philosophical, religious or other kind of justification for such acts. Uruguay believes that international cooperation is vital in this respect and therefore urges coordinated action on the part of all States to combat terrorism, using tools that are tailored to countering the increasingly sophisticated methods now used by terrorist groups.

Uruguay has always made the rule of law, especially international law, its modus operandi and has always been a firm champion of cooperation as a way of facilitating proceedings, in the recognition that cooperation is one of the fundamental principles of the international community. Judicial cooperation is vital to combating crime in general and terrorism in particular.

Uruguay co-sponsored and voted in favour of resolution 2322 (2016) on the basis of its conviction that it represents a robust instrument for promoting cooperation and coordinated action among States in their struggle against terrorism. In the framework of such cooperation, we must take into account the varying capacities of Member States and respect national legislations, without prejudice to obligations deriving from international law.

Another key aspect is coordination with prosecutors' offices and judicial authorities. These bodies must perforce be actively involved in promoting knowledge-sharing on good practices and in facilitating capacity-building. In accordance with international law, Uruguay rejects the wrongful granting of refugee status to those who commit, organize or facilitate acts of terrorism. We therefore agree that it is not acceptable to claim political motivations in the commission of terrorist acts in order to try to avoid extradition. At the same time, we must be careful not to resort to unrestricted use of the right to extradition.

Uruguay is in favour of coordination in the area of requests for cooperation in the digital sphere and for the preservation of evidence and the transmission of information. However, this must always take place with due respect for human rights, privacy and the freedom of thought and expression. In that respect, we must guard against undermining the right to due process and respect for human rights during investigations and proceedings carried out as part of the fight against terrorism.

In conclusion, Uruguay, a country that respects the rule of law as well as the internal judicial procedures of nations, supports judicial cooperation as an instrument of great relevance and utility in adopting joint approaches that help combat terrorism and promote international peace and security.

Mr. Aboulatta (Egypt) (*spoke in Arabic*): At the outset, I wish to thank the Spanish presidency of the Security Council for having convened this important meeting and for the initiative to discuss the topic under consideration. I should like also to thank all briefers for their valuable interventions. In addition, I wish also to offer thanks and appreciation to all those who expressed their solidarity with Egypt in connection with the terrorist acts that struck us yesterday morning, which led to the deaths of 25 persons, most of them women and children, as they prayed in one of Cairo's historical churches. I should like to underline that such incidents will only make us more adamant and determined to combat terrorism and eradicate it completely.

International judicial cooperation in countering terrorism is one of the most important pillars in the effort to fight terrorism. It is vital in the context of a comprehensive approach to combat this appalling scourge. Without effective cooperation in this domain, our efforts will always be incomplete and fall short of reaching their objectives. It is as if we were working in silos when it is in fact imperative for our efforts to be complementary. We must fully cooperate and uphold the common good and common interests, because no country alone can defeat terrorism. So just as we have forged alliances to defeat terrorism militarily and operationally, we should also forge alliances and cooperate judicially to defeat terrorism.

Resolution 2322 (2016), which the Council adopted today, sends an important message to terrorists that the international community is unified and adamant in eradicating terrorism, and to the international community on the need to go beyond narrow interests in order to attempt, within a legal framework, to promote international judicial cooperation in all its forms and aspects, while stressing the need to end any form of support for terrorism.

The resolution includes a number of important aspects, including, for example, the need for the exchange of information among States so as to stop the financing of terrorism and the supply of weapons to terrorists, as well as the need to enact the legislation necessary to criminalize the financing of terrorism, promote police cooperation and benefit from the capabilities of INTERPOL, and build the capacity of States, with reference to the vital role played by the United Nations Office on Drugs and Crime. There is also need to promote and develop cooperation among States, in line with criminal investigations relevant to terrorist offenses.

The resolution also refers to the imperative of holding officials accountable for terrorist acts, as well as extraditing and prosecuting any person accused of supporting, facilitating or participating in terrorist acts. In that vein, the resolution reafirms the need to not provide a safe haven to those who are financing, planning or supporting terrorism. The resolution equally reaffirms that it is necessary that terrorists not abuse the asylum right. Political motives cannot be taken as a pretext by States to reject requests for the extradition of those accused of committing terrorist acts.

The Security Council's adoption of the resolution on international judicial cooperation in countering terrorism is important; however, what is more significant when it comes to Security Council resolutions on combating terrorism in general is the political will of States to implement such resolutions. And that requires concerted follow-up on the part of the Security Council, as well as holding accountable States that do not fully abide by their implementation and those States that continue to support terrorists or provide shelter to them.

In conclusion, I would once more like to thank the Spanish presidency of the Security Council. I would like to reaffirm that Egypt will constantly maintain its commitment to be at the forefront of international efforts to defeat terrorism, while respecting international law, the rule of law and human rights.

Mr. Vitrenko (Ukraine): I would like to express Ukraine's sincere appreciation to the Spanish President personally for convening such an important meeting, as well as for initiating resolution 2322 (2016), which Ukraine sponsored.

I would also like to join other delegations in expressing our solidarity and condolences to Egypt, Turkey and other countries that recently suffered violent terrorist attacks.

Of course, I also thank the briefers for their important contributions to today's meeting.

There is no doubt that today, when the growing terrorist threat transcends national borders, international legal cooperation in matters pertaining to counter-terrorism is of paramount importance. No single State, no matter how technologically advanced or militarily powerful, can effectively combat this

problem on its own. Numerous international treaties and United Nations decisions in the counter-terrorism field have already established mechanisms to facilitate mutual legal assistance, apprehend fugitives and, when appropriate, extradite wrongdoers. Yet they often lack cohesion and efficiency because of complicated and time-consuming procedures for processing foreign requests in investigations and prosecutions against those suspected of involvement in terrorist activities. In that connection, I would like to highlight several points on improving practical cooperation and reducing delays in rendering mutual legal assistance and information-sharing.

To ensure a faster response, especially in circumstances demanding the prioritization of handling terrorist-related cases, there is a persistent need to create effective central authorities for mutual legal assistance and extradition, with adequate resources and experienced staff. Such authorities can also serve as the main points of contact within the framework of international and regional cooperation platforms.

To rapidly seek and provide assistance, States may consider using simplified electronic request forms for mutual legal assistance. To facilitate those endeavours, international institutions, primarily the United Nations Office on Drugs and Crime and INTERPOL, could conduct training for competent national authorities. Furthermore, developing and introducing a universal electronic system for submitting, managing and responding to mutual legal assistance requests in terrorism-related cases can be another major undertaking. Competent authorities can also benefit from using different ways of direct communication, such as email or video teleconferencing, in order to overcome challenges that may arise in satisfying such requests.

To avoid conflicts over jurisdiction in cases that are subject to prosecution in more than one country, States can devise and apply universal jurisdiction mechanisms for the prosecution of terrorists in the interest of justice — for instance, tribunals, special courts or even inter-State hybrid courts. In such instances, the transfer of criminal proceedings can be one possible solution. Implementing such possible steps may require a revision of the relevant bilateral and multilateral treaties on international cooperation in criminal matters related to terrorism, or the conclusion of supplemental agreements to incorporate those additional provisions.

While processing mutual legal assistance requests may take some time, there is a growing need to provide the basis for timely sharing of imperative intelligence information when investigating terrorist activities and securing criminal evidence, apprehending suspects and preventing terrorists acts from being carried out. That is where the Latin saying periculum in mora takes on a special significance.

Therefore, establishing a mechanism for cross-border collaboration between judicial and law enforcement agencies, including by appointing liaison officers and conducting joint investigations in terrorism cases, facilitating the wider use of investigative international databases and providing access to them for competent national authorities, and facilitating inter-agency collaboration are all of paramount importance. In that vein, we also support the establishment of direct global communication platforms for competent authorities, such as the recently introduced point-of-contact network set out in the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, or the INTERPOL I-24/7 police information exchange system.

In the world's history, humankind has suffered from various disasters, wars, epidemics and other challenges. Still, we have always managed to overcome them. By being united, therefore, we will eliminate the terrorism threat once and for all. Frankly speaking, mutual legal assistance reform in counter-terrorism-related cases will not be easy, but there is an urgent need to make inter-State cooperation more agile and efficient. That is why we considered your initiative, Mr. President, and this discussion particularly topical and timely. We are confident that today's resolution will help us to achieve that goal.

Mr. Van Bohemen (New Zealand): I thank the Spanish presidency for convening this briefing. I also wish to thank our briefers today.

Promoting cooperation has long been an objective of the Security Council's counter-terrorism efforts. Today's resolution 2322 (2016), on international judicial cooperation on counter-terrorism, advances those efforts, and we commend Spain for its leadership.

I, too, wish to place on record my delegation's condolences to Egypt and Turkey for yesterday's terrorist attacks.

While terrorism is not a new phenomenon, the rise of extensive global networks and their sophisticated use of modern communications technologies have considerably extended its reach. No country can consider itself safe from the threat. Groups such as the Islamic State in Iraq and the Levant (ISIL)/Da'esh and Al-Qaida propagate and carry out indiscriminate attacks across borders and use the Internet to recruit for, finance and incite acts of terror. They find refuge in fragile States and vulnerable communities and among the disenfranchised.

As the Council has recognized, the emergence of foreign terrorist fighters and the susceptibility to recruitment of young people from all parts of the world are particularly concerning developments. Foreign terrorist fighters prolong the conflicts in which they participate and carry extremism from one conflict zone to another. Without effective strategies for deradicalization and reintegration, the knowledge and skills they have gained also have the potential to pose a threat to their countries of origin, should they return.

We all know there are no quick or simple solutions. Effective solutions will require time, resources and commitment across a broad spectrum of activities to combat terrorism, prevent and limit its spread, bring terrorists to justice and rebuild the communities that have suffered the effects of terrorist violence and oppression. Effective prosecution and enforcement are key parts of that effort. International cooperation is also essential to make those parts work, just as it is to all of our efforts to keep our communities as safe as they can be.

The transnational nature of many terrorist operations makes it much harder both to prevent terrorist attacks and apprehend terrorists. As our briefers have emphasized today, the transnational dimension also poses major challenges to the successful prosecution of terrorists, once apprehended. In many cases, the information, evidence and witnesses necessary to conduct a prosecution successfully are located in a number of different countries, which raises both practical and legal challenges.

As today's resolution stresses, international cooperation among law enforcement agencies and judicial authorities is essential. Mechanisms such as mutual legal assistance and extradition have long existed, but their role in responding to terrorism remains underutilized. Given the extensive use of the Internet by terrorist groups, mutual legal assistance in relation to digital data will become increasingly significant. Just as our approaches to counter-terrorism must respond and evolve to meet the threat, so must the ways in which States cooperate on prosecution and enforcement issues. We must be as efficient and effective as possible to combat impunity, while ensuring respect for human rights, and in particular ensuring respect for due process in criminal and associated proceedings.

In that regard, we must recognize and deal with the fact that many States do not have the systems or the resources to make or respond adequately to requests for evidence or extradition in a terrorism case. We are therefore going to have to do more to strengthen their capacities in those areas. Otherwise, some States may become unwitting havens for terrorists seeing to evade justice or hide assets. To that end, New Zealand recently hosted a joint United Nations Office on Drugs and Crime and Pacific Islands Forum workshop in Auckland, focused on ensuring legislative compliance with international counter-terrorism instruments.

New Zealand strongly supports the Secretary-General's Plan of Action to Prevent Violent Extremism. We will never achieve our common goal of dealing effectively with terrorism if we do not put a sharp focus on addressing the conditions that drive individuals to commit acts of terrorism in the first place. While security responses are essential, they will only ever be a partial fix to the much broader problem. New Zealand also values the work of the Global Counter Terrorism Forum in developing guidelines of best practices, including on judicial cooperation in counter-terrorism.

The special meeting on terrorist financing to be convened by the Chairs of ISIL/Al-Qaida and Counter-Terrorism Committees today and tomorrow will provide a useful opportunity to discuss one of the key challenges that we face, that is, how to deprive terrorist groups from accessing, raising and moving the funds they need to finance their activities. I encourage my successor as Chair of the Security Council Committee established pursuant to resolution 1267 (1999) to continue that useful practice of joint meetings between that Committee and the Counter-Terrorism Committee on the many issues of common interest.

In conclusion, I must stress the key role that the Council plays in encouraging States to work together at the bilateral, regional and international levels to identify and address the drivers of violent extremism.

Today's meeting helpfully builds on high-level Council meetings on counter-terrorism involving Ministers of the Interior and Finance last year, and reinforces the message that all the relevant agencies within Governments need to be involved in implementing Council counter-terrorism resolutions.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): In conveying a warm welcome to His Excellency Mr. Rafael Catalá, Minister of Justice of Spain, the Bolivarian Republic of Venezuela thanks the President for convening this important briefing to address an issue of major interest to our country, namely, strengthening international judicial cooperation in the fight against terrorism. We would also like to thank today's briefers.

Given the significance and scope of this debate in the efforts to boost international cooperation in the area of combating terrorism, our delegation joined the consensus in voting in favour of resolution 2322 (2016), which we are sure will have a positive impact on our common goal of eliminating that scourge and ensuring accountability in cases linked to terrorism.

We would like to take this opportunity to express our heartfelt condolences to, and solidarity with, the families of the victims and the Governments of Yemen, Turkey, Egypt and Nigeria, which this very weekend were struck by the barbarity of terrorism, which has once again left behind death and destruction in its wake.

Terrorism is a transnational phenomenon that threatens international peace and security. Moreover, given our interconnected world today, the linkages between the financing, training and safe haven provided to those responsible for this despicable scourge also make terrorism transnational in character. If we are to eliminate terrorism, the international community must be resolute in its commitment.

Experience shows us that terrorist groups feed on despair, injustice, frustration, a lack of opportunities and the denial of human rights and fundamental freedoms to promote their criminal and political agendas, which are based on intolerance, sectarianism and violent extremism. Poverty, social and economic inequalities, political, ethnic and religious intolerance, as well as the imposition of unilateral coercive measures, foreign occupation and interference and violations of the sovereignty of peoples and nations, to name but a few, are also part and parcel of the so-called drivers of terrorism.

We must recognize that, following the criminal terrorist attacks of 11 September 2001, a military doctrine of a global war on terrorism was put in place. Unfortunately, from that moment on, a set of military interventions with different motives ensued in Iraq, Libya and Syria, which have hugely destabilized the region, leading to the collapse of the institutions of the subject countries, along with their political and social frameworks. That allowed for the extraordinary spread of extremist and radical ideologies, with military support and financing from other countries to use the children of war and violence in terrorist groups affiliated with Al-Qaida, Da'esh, the Al-Nusra Front and other associated groups. Those groups have exponentially expanded and are fuelled by war, sectarianism and the proliferation of all sorts of weapons in the region. They also affect other regions in Africa and Europe, which is a tremendous humanitarian toll.

It is for that reason that, as we have said on previous occasions, effectively combating terrorism requires a joint and resolute effort by the international community, as well as the full and non-selective implementation of the relevant resolutions of both the General Assembly and the Security Council that, among other things, prohibit the transfer of weapons and the financing, training and provision of shelter to terrorist groups, including the integrated and balanced implementation of the four pillars of the United Nations Global Counter-Terrorism Strategy. Therefore, our country is strongly committed to the fight against terrorism in all its forms and manifestations, as we have shown at the international and regional levels through our accession to a large number of treaties and conventions, as well as in the national sphere through the enactment and review of a series of legal instruments.

In that connection, the Security Council must at all times show clear and unanimous evidence of its resolute commitment to prevent, combat and eliminate this despicable scourge, while avoiding the use of double standards in the fight against terrorism. The ruthless violence unleashed in recent years both by terrorist groups and non-State actors through the recruitment of children, abductions, the destruction of World Heritage Sites, as in the case of the ancient city of Palmyra in Syria, slavery, sexual and gender-based violence as weapons of war, as well as the use of chemical weapons, have seriously impacted the civilian population, particularly ethnic and religious minorities and the most vulnerable groups, whose human rights

have been systematically and deliberately violated, in contravention of international humanitarian law and international human rights law.

In addition to triggering an unprecedented humanitarian crisis, such actions constitute a clear pattern of war crimes, crimes against humanity and genocide, as clearly defined in the Rome Statute, and the perpetrators of such acts must be brought to justice. Accountability in terrorism-related cases is particularly important for our country, which is why we would like to see international legal cooperation strengthened in the gathering and safeguarding of evidence in order to ensure due process.

Effectively combating terrorism leaves no place for dichotomies, and therefore there cannot be good terrorists and bad terrorists. Terrorism is terrorism, and it must be unequivocally prevented, combated and eliminated. Given the transnational nature of terrorism and the phenomenon of foreign terrorist fighters, international legal cooperation is key to ensuring that investigations and prosecutions of those responsible for terrorist acts lead to positive results. Of course, such action must respect due process and avoid summary executions or the use of technological devices that violate human rights.

That is why we consider the recently just adopted to be of great importance. In that regard, we take this opportunity to recognize the efforts of the Spanish delegation during the lengthy and complex rounds of negotiation on the resolution, which resulted in the consensus adoption of the resolution, despite at least one permanent Council member's inflexibility throughout the process.

Venezuela is of the view that international legal cooperation in the fight against terrorism can be strengthened, inter alia, through mutual legal assistance and the principle of extradition or prosecution, in particular to ensure that justice is served and to enforce the sentences of those persons legally convicted of terrorist acts in accordance with the provisions of paragraph 9 (d) of resolution 2322 (2016).

Our country has also been a victim of terrorism, as seen in the cases concerning the 1976 bombing of the Cubana de Aviación flight perpetrated by the notorious self-avowed terrorist Luis Posada Carriles, in which 73 innocent people died, mostly Cuban athletes. I also wish to cite the terrorist attacks on the Colombian and Spanish diplomatic headquarters in Caracas in February 2003. Despite the efforts made to prosecute or extradite those responsible for committing those criminal acts, they remain fugitives from justice under the protection of the State of one of the members of the Security Council.

We therefore call on the members of the international community, in particular Council members, to ensure coherence in their speeches and actions. We also call for the effective implementation of the extradition agreements regarding persons identified as perpetrators of terrorist acts, in accordance with the relevant resolutions of the Security Council and of the General Assembly. As in cases of atrocity crimes, there can be no impunity in situations involving terrorism, much less safe haven, protection or shelter for those responsible for such reprehensible crimes. That means that, beyond just technically cooperating on law enforcement, what is needed is the political will to ensure that we bring to justice and convict those responsible for terrorist acts.

Venezuela reaffirms again today that the fight against terrorism must take place within the framework of international cooperation, in accordance with existing regional and international instruments, including the purposes and principles of the Charter of the United Nations and the rules of international law, fully respecting human rights, fundamental freedoms and the rule of law and with strict respect for the sovereignty of States.

However, we believe that prevention will always be the best way forward in tackling the scourge of terrorism. In that regard, we consider it crucial to move forward in strengthening international cooperation, including the building of technical capacities to develop and strengthen infrastructure, mechanisms and processes, including the exchange of information and good practices, to identify areas of vulnerability that need improvement and review mutual legal assistance mechanisms if we are to be truly effective in this fight. In that regard, we recognize the important role of the Counter-Terrorism Implementation Task Force, and in particular of the United Nations Office on Drugs and Crime.

Lastly, it is our view that the international community, now more than ever, must continue to work in a resolute, united and coordinated way to prevent and combat terrorism. In that context, we believe that the adoption of a future international convention against terrorism would complement the existing

set of international legal instruments by providing a definition that would strengthen consensus in this area.

Mr. Wu Haitao (China) (*spoke in Chinese*): We commend Spain's initiative in convening this debate on enhancing international judicial cooperation in countering terrorism. We welcome Justice Minister Rafael Catalá to New York to preside over the meeting. We thank Mr. Jean-Paul Laborde, Executive Director of the Counter-Terrorism Committee Executive Directorate; Ms. Dorcas Oduor, Deputy Director of Public Prosecutions in Kenya; and Mr. Robert Strang, Executive Secretary of the International Institute for Justice and the Rule of Law, for their briefings.

We strongly condemn the terrorist attacks that took place recently in Egypt and Turkey, and we express our condolences to the victims. We support affected countries in taking action to combat terrorism and safeguard national peace and security.

Terrorism is a common challenge faced by all humankind. We must resolve to fight terrorism in all its forms and manifestations, wherever and whenever it occurs. In the fight against terrorism, we must avail ourselves of uniform standards. We cannot link terrorism to any specific religion or ethnicity. We must abide by the purposes and principles of the Charter of the United Nations and allow the Organization and the Security Council the central coordination role in taking concerted action.

We must use multiple means, including political, economic and cultural, in pushing for political solutions to regional conflicts and address both the symptoms and the root causes in order to eliminate the breeding grounds of terrorism. Terrorist organizations are currently running rampant. With tighter organizations they are carrying out more frequent cross-border activities. They are using new technologies, such as the Internet, to disseminate extreme narratives. Their threat is on the rise. Countries should strengthen legal cooperation in the fight against terrorism in order to weave a legal and judicial dragnet across all regions of the world to ensure that terrorists have no place to hide.

First, strengthening counter-terrorism legislation provides a domestic legal foundation for countering terrorism and implementing cooperation among international partners in this field. The international community, in accordance with the Council's resolutions, should support countries in developing domestic counter-terrorism legislation and updating it as required by current terrorist threats. At the same time, we must bear in mind the various national conditions and situations. The international community should respect the legislative and judicial sovereignty of all States.

Secondly, strengthening counter-terrorism cooperation is an important channel for combating cross-border terrorist activities. Countries must implement fully the relevant Security Council resolutions and multilateral and bilateral legal treatises on the mutual use of legal assistance and extradition in order to generate synergy in bringing terrorists to justice. There should be no double standards or politicization in carrying out judicial cooperation. China calls on all countries, on the basis of equality and mutual benefit, to step up cooperation in counter-terrorism activities and intensify the negotiation and conclusion ofmutual legal assistance and extradition treaties.

Thirdly, strengthening counter-terrorism cooperation is an important way of joining hands in counter-terrorism efforts. On the basis of equality and mutual benefit, countries should carry out cross-border enforcement cooperation in order to cut off supply lines to terrorist organizations in terms of recruitment, financing and weapons. In accordance with Security Council resolutions, countries should step up cooperation in areas such as intelligence sharing, border control and enforcement support so that they can join hands in fighting foreign terrorist fighters, especially repatriated foreign terrorist fighters, in order to deal with the threats they pose.

Fourthly, we must focus our efforts on suppressing the use of the Internet for terrorist activities. At present, terrorists are using the Internet as well as social media and other platforms to spread both audio and visual messages to disseminate extreme narratives and ideologies, recruit people and raise funds. Those are serious threats. The international community should bear in mind the special features of cyberspace and act in accordance with Security Council resolutions to take effective collective measures to respond to such threats. Countries should step up legislation and reinforcement work and undertake judicial cooperation in order to strengthen Internet-based monitoring and surveillance activities and hold perpetrators of terrorist activities accountable.

China is an important member of the international counter-terrorism community. At the end of last year,

China promulgated its own counter-terrorism law: a commitment for China to upscale its efforts to counter terrorism and push for international counter-terrorism cooperation. Our law clearly provides that China will, in accordance with the treaties to which we are party and on the basis of equality and mutual benefit, undertake counter-terrorism cooperation with the relevant countries, regions and international organizations in areas such as policy dialogue, intelligence sharing, enforcement cooperation and the monitoring of fund flows. In accordance with the provisions of its counter-terrorism law, China will continue its efforts to work with international partners in order to prevent and combat terrorism so as to ensure national security and protect its people's lives and property and make a positive contribution to the safeguarding of world and regional peace and security.

Mr. Barro (Senegal) (*spoke in French*): Senegal is pleased to see you, Mr. President, in your capacity as Minister for Justice of the Kingdom of Spain, presiding over this Security Council meeting devoted to international judicial cooperation in the fight against terrorism, which is an extremely pertinent and relevant theme.

My country also takes this opportunity to resolutely condemn the murderous wave of attacks over the weekend in Cairo, Istanbul, Aden and Mogadishu. We express our sympathies and solidarity to the affected countries. Senegal solemnly and unequivocally reiterates its condemnation of all terrorist acts in all their forms and manifestations, regardless of where they take place or who the perpetrators are.

I would also like to thank today's briefers — Mr. Jean-Paul Laborde, Executive Director of the Counter-Terrorism Executive Directorate; Ms. Dorcas Oduor, Deputy Director of Public Prosecutions in Kenya; and Mr. Robert Strang, Executive Secretary of the International Institute for Justice — for the quality of their presentations.

Since terrorism knows no borders, we must face it in collective and determined solidarity by developing optimal coordination at the international level. It is in that spirit, but also in respect of the rule of law, democracy and human rights, that we must combat this scourge, particularly through effective and enhanced international judicial cooperation. It is therefore essential that States adopt adequate and comprehensive legislation to prevent and combat acts of terrorism.

In that regard, allow me to recall that, under resolution 1373 (2001), adopted on 28 September 2001, the Security Council established close links between international terrorism and transnational organized crime, drug trafficking, money-laundering, illicit arms trafficking and the illegal transfer of nuclear, chemical and biological materials. That is a clear reminder of the need for States to develop cooperation mechanisms.

It is undoubtedly such willingness to cooperate that is at the root of the existence of today's strong legal framework, which includes 19 instruments, without mentioning the various initiatives and actions carried out by the international community. Unfortunately, such a legal arsenal has not yet made it possible to halt the scourge of terrorism, which manifests itself in new and increasingly complex and unpredictable forms that are harder to prevent and counteract. That is due to the gaps in international cooperation, particularly in the judicial field, as terrorism thrives on the use of modern communication and propaganda tools to broaden its scope and targets.

Moreover, judicial cooperation remains the weakeast link in the international fight against terrorism. That is due, inter alia, to the absence of adequate means and training of justice actors. Procedures that are often slow, complicated and inadequate lack the speed required for an effective fight against terrorism. In addition, we also lack a specific international resolution on international judicial cooperation — a gap that must be bridged as soon as possible, as we did a short while ago this morning by adoptinng resolution as 2322 (2016).

Judicial cooperation remains a prerequisite if we are to overcome the difficulties inherent in the investigation and prosecution of terrorist acts, especially when certain elements of the case — such as evidence, suspects and witnesses — are spread out over several jurisdictions, or if we are dealing with electronic evidence, which is particularly complex to preserve. Mutual legal assistance and exchanges of information on terrorist networks and their operations should be intensified and facilitated.

Moreover, it is important, if not urgent, for States to introduce deliberate violations of the ban on the financing of terrorist organizations or individuals for whatever purpose into their national legislation as a serious criminal offence. In order to effectively address the financing of terrorism, States must, within the framework of international judicial cooperation, give

themselves the means to freeze the assets of persons and organizations engaged in acts of terrorism and to counteract the maneuvers of those who collect funds for such acts. Such funds come from transnational organized crime, including trafficking in arms, people, drugs and artefacts, illegal trade in natural resources stones and precious metals, kidnapping, extortion and theft.

Moreover, abandoning the traditional principle of double jeopardy for terrorism in the execution of arrest warrants and the incorporation of universal jurisdiction into national law for a global and uniform prosecution of criminals must also be fully integrated into judicial cooperation.

On another aspect, we find that terrorist groups benefit from international transport facilities, the spread of combat zones, the porosity of borders, and information and communication technologies. They expand their sphere of influence and action by recruiting combatants from various geographical areas. The subject of resolution 2178 (2014), of which Senegal was a co-sponsor, is also an aspect that must be addressed within the framework of international judicial cooperation.

Timely cooperation and action, in accordance with international obligations, can assist States in preventing foreign terrorist fighters from entering conflict zones and in developing effective strategies to deal with repatriated persons. That would therefore preserve, through judicial and police authorities, essential evidence for the judicial process.

The counter-terrorism fight should be a consolidated struggle on a global scale. It is important that we all show the same level of commitment, no matter where the threat is detected. In that regard, Africa must receive special attention in the implementation of resolution 2322 (2016), both because of its various vulnerabilities and because of the numerous terrorist groups that thrive there. As an illustration, the nature and number of criminal activities perpetrated in recent years in the strip of the Sahel have not ceased to evolve, with regular changes in location and targets, which demonstrates the level of flexibility and the capacity for adaptation by terrorist groups that are operating in the region.

In conclusion, my delegation would like to vigorously reaffirm the need to constantly adapt the legal arsenal and judicial systems to the evolving terrorist threat. Judging terrorist offences is today reserved just for the competence of national courts. International jurisdictions cannot hear, for instance, certain terrorist acts when they present constitutive elements of crimes falling within their purview. That limited effectiveness in treatment merits being underlined and taken into account in our quest for a global response to the threat of both global terrorism and violent extremism.

Mrs. Adnin (Malaysia): My delegation thanks you, Mr. President, for convening this timely and important meeting. I also wish to thank all the briefers for their respective presentations, which provided important views and perspectives on the issue at hand.

Before moving on to the subject of our discussion today, I take this opportunity to express the deepest condolences and sympathies of the people and the Government of Malaysia to the victims and loved ones affected by the terrorist attacks in Mogadishu, Cairo and Istanbul yesterday. We wish the injured speedy recovery. We are also deeply troubled by a report coming out of Maiduguri, Nigeria, where yesterday two young girls allegedly carried out suicide bomb attacks only mere minutes apart. Malaysia reaffirms its solidarity with Somalia, Egypt, Turkey and Nigeria, and we stand together with all countries that are victims of such vile and cowardly attacks.

Those attacks underscore the importance of collective and coordinated action at all levels in combating the scourge of terrorism. In my delegation's view, our meeting today represents another significant step towards that end by seeking to strengthen international cooperation in the administration of justice and accountability for perpetrators of terrorism and terrorist attacks. In that connection, my delegation also welcomes the currently ongoing joint meeting between the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban and associated individuals and entities, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism, focusing on lessons learned and challenges in preventing terrorist groups from accessing, raising and moving funds. We believe that resolution 2322 (2016), just adopted by the Council, which Malaysia was pleased to co-sponsor, will make a meaningful and significant contribution to strengthening international cooperation in combating terrorism in the particularly crucial aspect of financing.

As alluded to in the briefings, and as delegations have attested, the task of ensuring accountability for perpetrators of terrorist attacks can be complex and challenging, particularly for law enforcement and judicial authorities. We share the view that issues of sovereignty, borders and differences in legal systems are some of the major obstacles to better cooperation among States. Such an apposition takes advantage of the differences between legal systems, the clash of bureaucracies, and often exploits the cumbersome nature of inter-State trials and arrangements for legal and judicial cooperation. That notwithstanding, Malaysia firmly believes that traditional arrangements for cooperation, such as mutual legal assistance and extradition arrangements, could continue to be enhanced. Where appropriate, areas such as evidentiary standards, communication and records could be streamlined with a view to minimize the transactional processes involved when such arrangements are activated between countries.

At the domestic level, Malaysia enacted its mutual legal assistance legislation in 2002. Act No. 621, also knows and the Mutual Assistance in Criminal Matters Act, designates the Attorney-General as the central authority empowered to make and receive requests for mutual assistance in criminal matters to be rendered and sought between Malaysia and other countries and for matters connected therewith. With regard to extradition, the designated central authority is the Minister of Home Affairs, who will act upon advice from the Attorney-General's chamber. For Malaysia, a reciprocal commitment is a mandatory requirement that needs to be fulfilled when a requesting State makes an extradition request. As such, we are pleased that this important principle is duly recognized in resolution 2322 (2016).

The Government of Malaysia is currently in the process of reviewing the current mutual legal assistance legislation, including the model treaty, with a view to keeping abreast of common international practices in dealing with the threat posed by terrorism and terrorist actors, including the foreign terrorist fighters phenomenon. Furthermore, at the regional level, the Association of Southeast Asian Nations (ASEAN) has in place mutual legal assistance treaty arrangements intended to facilitate the implementation of ASEAN member States' obligations under mutual legal assistance regimes established under international instruments, such as the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption. Those arrangements reflect the common desire and commitment of ASEAN member States to improve the effectiveness of law enforcement authorities in the prevention, investigation and prosecution of offences through cooperation and mutual legal assistance at the regional level.

In conclusion, the multidimensional nature of the threat posed by terrorism and terrorists, including foreign terrorist fighters and related activities, especially on financing, constitute an ongoing challenge to international peace and security, which requires intensified cooperation at all levels in order to fully counter that scourge. We believe that the adoption of resolution 2322 (2016) strengthens the underlying foundations for such cooperation and paves the way for all States, as well as other partners and stakeholders, in taking effective measures and cooperation in that regard.

As my delegation prepares to leave the Council, I wish to underscore Malaysia's commitment to continuing its cooperation and engagement with key partners, including the Counter-Terrorism Committee Executive Directorate, the United Nations Office on Drugs and Crime and INTERPOL, in their tireless efforts to ensure accountability for perpetrators of terrorist acts and supporters of terrorism.

Mr. Delattre (France) (*spoke in French*): As the Security Council is aware, France has been struck several times by murderous attacks, including on 14 July, our national holiday. We will not forget the exceptional groundswell of solidarity from the entire world, the popular gatherings, the monuments illuminated in the colours of the French flag and the numerous leaders who expressed their solidarity.

But France is certainly not the only country to have been attacked. Again just this weekend, Egypt, Turkey, Nigeria and Somalia were once again affected by terrorist attacks. On behalf of France, I wish to again convey to them our most sincere condolences.

Faced with this global threat that knows no borders, our response can be nothing less than collective. It must cover all fronts: military action, where necessary, and certainly political and diplomatic efforts to resolve the crises that fuel terrorism. Apart from those obvious initiatives, however, a whole series of areas, which are sometimes perceived as more technical, remain

absolutely essential to an effective and sustainable fight against terrorism. International legal and police cooperation is one of them.

I would therefore first like to extend my heartfelt thanks to Spain for this initiative. Today's debate provides us with an opportunity to send a strong and united message from the Security Council on the importance of international cooperation in fight against terrorism — much as we have done previously on the financing of terrorism or combating propaganda. Step by step and under the auspices of the Council, the United Nations is increasingly at the vanguard in the fight against terrorism. It is increasingly able to act and ensure the convergence of States' efforts to counter that scourge. I also thank the speakers for their very informative briefings.

France welcomes the unanimous adoption of resolution 2322 (2016), aimed at strengthening judicial and police cooperation in the fight against terrorism, the first such resolution to deal specifically with the issue. I should like to focus on three especially important messages sent by the resolution.

First of all, it asserts that strengthening international judicial and police cooperation is not only essential to preventing foreign terrorist fighters from entering conflict zones but also to preparing for and managing their return to their respective territories, which is a crucial task.

Secondly, it stresses the importance of rapid coordination between the States involved in a terrorist investigation. Unfortunately, France has had considerable experience in that field. Through the attacks of 13 November 2015, we saw that the networks in question crossed Europe. Rapid and effective coordination can therefore be a major asset to successful investigations.

Thirdly, it highlights the need to use all available legal tools for cooperation in mutual legal assistance and extradition. The development of a directory of focal points and the use of electronic means of communication as support for requests for mutual assistance are especially desirable.

France also welcomes the fact that the resolution echoes the major initiatives of the European Union with regard to judicial and police cooperation in the areas of counter-terrorism.

France does not underestimate the current challenges of international judicial and police cooperation in the fight against terrorism. There are technical challenges, particularly those posed by the use of new information and communication technologies by terrorist groups, especially encrypted messaging systems. Differences in legal systems as well as the complexity of judicial organizations can also sometimes hinder cooperation. But those challenges are not insurmountable, and the United Nations has an essential role to play in that area.

First, the Organization must raise awareness and build capacity in States that need it, as a particularly important measure in helping States to better understand and respond to these challenges. In that regard, the technical assistance provided by the United Nations Office on Drugs and Crime, particularly in the development of databases and the establishment of regional cooperation networks, is particularly valuable.

Moreover, given its universality and its legitimacy, the United Nations is in a position to encourage international cooperation among States, particularly with regard to the exchange of information and the gathering of evidence. Country visits by the Counter-Terrorism Committee Executive Directorate are excellent opportunities for conveying those messages.

Finally, the United Nations has the unique capacity to bring together Member States, international organizations, the private sector and civil society in one place to discuss common problems, which is a real asset for strengthening public-private cooperation. In that regard, the Organization has a particular responsibility and it is an irreplaceable asset because of its legitimacy in the fight against terrorism, which affects us all.

I once again thank the Spanish presidency for this very thorough and important debate. Rest assured that France will continue to play its full part in efforts to strengthen international judicial and police cooperation in the fight against terrorism.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): We welcome the initiative to discuss in the Security Council issues of legal cooperation in the context of combating terrorism. We think it is a timely debate. The tragedies in Egypt, Turkey and other countries remind us once again of the need for an energetic, consistent and joint struggle against the scourge of terrorism. We join others in expressing our condolences to the States that have been victims of terrorist acts. It is now, in the light of the active

struggle against terrorists in Syria and Iraq, and with the endless funnelling of human and material resources to terrorist groups, that the sheer scope of the problem that law enforcement bodies in various States face in the area of law and order and cooperation with one another becomes clear.

We also must note that State obligations already enshrined in Security Council counter-terrorism resolutions are not, by any means, always being fulfilled. Today's resolution 2322 (2016) highlights the gaps in existing criminal legal mechanisms for combating terrorism and possible options for their elimination. An important expert role in this work should be played by the United Nations specialized agencies, such as the Counter-Terrorism Committee Executive Directorate, the Counter-Terrorism Implementation Task Force and the United Nations Office on Drugs and Crime.

One of the priorities in countering terrorism for States and for specialized international regional organizations is the need to harmonize and modernize existing bilateral and multilateral treaties on issues of extradition, legal assistance in criminal matters and the transfer of criminal proceedings from one jurisdiction to another. A helpful step would be a review of the various reservations to those treaties concerning procedures for cooperation in combating crime and terrorism. Moreover, the absence of specialized international treaties should not be an obstacle to legal aid and extradition. In such far-from-ideal cases, States can and must cooperate based on the principle of reciprocity.

During talks on today's resolution, our delegation insisted that the issues of the importance of updating the international legal basis and invoking the principle of reciprocity should be made very concrete to the maximum extent possible. Sadly, those and some of our other proposals were not reflected.

The resolution we adopted confirmed that it is unacceptable to refuse to extradite terrorists for political motives or provide them safe haven. The document calls for further streamlining of procedures for rendering legal assistance and for the extradition of terrorists. We believe that an imperative of such cooperation should continue to be to bring radicals to justice. Achieving that is impossible without building a sound knowledge-sharing system, primarily through the specialized services, security bodies and law enforcement agencies. In that regard, we draw the attention of delegations to the actively developing — with the support of United Nations specialized agencies — Global Terrorism Database.

We would also like to separately touch on issues of legal cooperation in the area of combating the financing of terrorism. The resolution calls on States to exchange information on the criminalization of financing terrorism, with an emphasis on the Financial Action Task Force's (FATF) fifth recommendation. At Russia's initiative, its scope has been expanded to a complete ban on any trade with terrorists, including trade in natural resources, as set forth in resolutions 2199 (2015) and 2253 (2015). We believe that the FATF now take very tough steps against States that fail to meet the requirements of those resolutions, going so far as to black- or grey-list them.

In our further joint work, we need to take into account the specific terrorist challenges that have been particularly prominent in recent years. One priority is to address the increase in radicalism, which is fuelled by unprecedented terrorist propaganda aimed primarily at youth. That propaganda has adapted to modern technological advances such as the Internet and social networks. Sadly, there is a demand for it, which is reflected in the scale of the recruitment of foreign terrorist fighters to the ranks of the Islamic State in Iraq and Syria (ISIS), Jabhat Al-Nusra and other associated terrorist groups.

Objectively, it is high time to pool our resources and the experience of the international community to prevent such manifestations. Once again, the resolution highlights the presence of that problem. At the same time, additional practical steps are needed to combat the spread of the ideology of terrorism. We look forward to continuing substantive work on that theme in the Council, as well as in the counter-terrorism bodies accountable to it. We should not forget about the aspects of criminal activities that use information communications technology. In that context, what is still relevant is the Russian initiative to develop, under the auspices of the United Nations, a treaty on combating cybercrime.

In conclusion, we would like to stress the importance of strengthening coordination and interaction among States in order to destroy ISIS, Jabhat Al-Nusra and other associated groups. That must be done by putting an end to double standards and must include the central coordinating role of the United Nations, based firmly on international law.

Mr. Bessho (Japan): I would like to express my gratitude to Spain for convening today's important and timely briefing. I would also like to thank the briefers for their informative presentations.

Looking back on 2016, we recognize that terrorist attacks occurred all over the world, including in the Middle East, Africa, Europe, North America and Asia. I join others in offering condolences for the loss of life in all those attacks, especially to Egypt, as one of the most recent victims.

Resolution 2322 (2016), which was just adopted, calls upon Member States to enhance judicial cooperation to address global terrorism and reaffirms that terrorists must be held accountable. Japan welcomes and supports the resolution.

A number of key paragraphs in the resolution would help enhance our judicial and police-to-police cooperation. However, I would especially like to highlight paragraph 17. That paragraph encourages States to consider extending access to the INTERPOL I-24/7 network beyond national central bureaus to other national law enforcement entities at strategic locations, such as remote border crossings. Terrorists use lost or stolen passports to travel freely around the world. To detect such false passports, INTERPOL gives national central bureaus access to its stolen and lost travel document database and helps them detect false identifications. The database includes records of the more that 68 million lost or stolen passports. From January to September, the database was searched more than 1.2 billion times, resulting in more than 115,000 hits — approximately 426 hits every day.

However, more than 100 out of 190 Member States do not use that powerful database to screen travellers at airports and border checkpoints. That means that, even if national central bureaus detect the use of lost or stolen passports, delayed notice to front-line screeners may allow terrorists to sneak across borders unnoticed. Timely access to the database is critically important for front-line officers to prevent such breaches. I therefore urge Member States to extend access to the INTERPOL I-24/7 network, including the stolen and lost travel document database, to front-line law enforcement entities, in accordance with today's resolution, with the goal of restricting cross-border terrorist movements.

In conclusion, I stress that simply adopting today's resolution is not enough. We now must implement it. Japan is always ready to closely cooperate with other countries to enhance their capabilities and capacities. Only the international community's collective efforts on judicial and police-to-police cooperation will bring terrorists to justice.

The meeting rose at 5.25 p.m.